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L A W Y E R S

E-Filed on 10/11/07

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,USA CAPITAL REALTY ADVISORS,  
LLC,USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC, Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

## CHAPTER 11

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**STIPULATION CONTINUING  
HEARING ON OBJECTIONS TO  
PROOFS OF CLAIM AND  
AMENDED PROOFS OF CLAIM  
FILED BY PENSION BENEFIT  
GUARANTY CORPORATION**

Date of Hearing: October 15, 2007  
Time of Hearing: 9:30 a.m.

New Date of Hearing: December 14, 2007  
Time of Hearing: 9:30 a.m.

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

USACM Liquidating Trust (the "USACM Trust"), by and through its counsel, and  
Pension Benefit Guaranty Corporation ("PBGC"). by and through its counsel, hereby  
stipulate:

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

1           1.     USA Commercial Mortgage Company (“USACM”) filed an objection to  
2     Claim Nos. 791, 793, and 794 of the PBGC in Case No. 06-10725 [DE 2978]. The  
3     USACM Trust is the successor to USACM solely with respect to this objection.

4           2.     On April 23 and 25, 2007, the PBGC filed Amended Proofs of Claim (the  
5     “Amended PBGC Claims”).

6           3.     On September 11, 2007, the USACM Trust filed an objection to the  
7     Amended PBGC Claims (the “Objection”) [DE 4728].

8           4.     The Objection is scheduled for a status hearing on October 15, 2007 at 9:30  
9     a.m. before this Court.

10          5.     The USACM Trust and the PBGC agree that a schedule should be  
11     established to complete the briefing on the Objection and the Amended PBGC Claims.

12          6.     Accordingly, the undersigned counsel agree that:

- 13           • The deadline for the PBGC to file and serve a response to the Objection (the  
14           “Response”) should be extended to October 31, 2007;
- 15           • The USACM Trust’s reply to the Response should be filed and served on or  
16           before November 21, 2007;
- 17           • The status hearing on the Amended PBGC Claims scheduled for October 15,  
18           2007 shall be continued to December 14, 2007 at 9:30 a.m. (the “Continued  
19           Hearing”).
- 20           • On or before November 30, 2007, the parties shall submit a joint statement  
21           to the Court specifying the issues that will be argued at the Continued  
22           Hearing and the issues that require further discovery before being argued or  
23           tried before the Court.

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

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DATED: October 11, 2007.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)  
Susan M. Freeman, AZ 4199 (*pro hac vice*)  
Rob Charles, NV 6593

-and-

**FOLEY & LARDNER LLP**

Edward J. Green  
Geoffrey S. Goodman

*Counsel for USACM Liquidating Trust*

**PENSION BENEFIT GUARANTY  
CORPORATION**

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